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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EDWARD BUI and OPERTURE INC., a Nevada
Corporation,

Plaintiffs,

v.

DEUTSCHE BANK NATIONAL TRUST
COMPANY; SPECIALIZED LOAN
SERVICING LLC, a Colorado Limited Liability
Company; SABLES LLC, a Nevada Limited
Liability Company; DOES 1 through 20,

Defendants.

Case No. 2:21-cv-01722-JCM-EJY

**STIPULATION AND
ORDER FOR VOLUNTARY
DISMISSAL WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), LR IA 6-2, and LR 7-1, Plaintiffs Edward Bui (“Bui”) and Operture Inc. (“Operture,” or referred to together with Bui as “Plaintiffs”), appearing pro se, and Defendants Deutsche Bank National Trust Company (“DBNTC”) and Specialized Loan Serving LLC (“SLS,” or referred to together with DBNTC as “Defendants”), by and through their counsel, the law firm of Greenberg Traurig, LLP, having reached an agreement to resolve all outstanding issues among them, and hereby stipulate to DISMISS the above-captioned matter WITH PREJUDICE, with each party to bear its own respective costs, expenses, and attorneys’ fees in

1 connection with the above-captioned matter. In further support of this Stipulation, the Parties state as
2 follows:

3 1. Plaintiffs filed a Complaint (“Complaint”) against Defendants in the Eighth Judicial
4 District Court for the State of Nevada in the above-captioned action on June 29, 2021. Plaintiffs
5 alleged that the Defendants wrongfully exerted claim over Plaintiffs’ personal property following the
6 extinguishment of Plaintiffs’ alleged real property interest in March 2018 through a quiet title action
7 and a subsequent foreclosure sale of 5330 E. Charleston Boulevard, Unit 78, Las Vegas, Nevada 89142
8 (the “Property”). Complaint, ¶ 30. Plaintiffs asserted claims for conversion, violation of NRS 487.038
9 and 706.4477, and unjust enrichment. Complaint, ¶¶ 26-47.

10 2. Plaintiffs served the Complaint on SLS on August 18, 2021.

11 3. Plaintiffs filed an Affidavit of Attempts to serve DBNTC on August 16, 2021 but did
12 not complete service of process prior to removal of the action to this Court and did not effectuate
13 service of process through alternative means.

14 4. Plaintiffs voluntarily dismissed Defendant SABLES LLC on August 19, 2021.

15 5. On September 17, 2021, Defendants removed the matter to this Court pursuant to 28
16 U.S.C. §§ 1332, 1441 and 1446.

17 6. On September 23, 2021, Plaintiffs’ counsel withdrew as counsel of record.

18 7. Currently pending before this Court is Defendants’ Motion to Dismiss Plaintiffs’
19 Complaint with Prejudice filed on October 25, 2021.

20 8. Following communications and discussions between Defendants’ counsel and Bui, Bui
21 admitted it would be inappropriate for him to move forward with this action given the underlying facts,
22 including those identified in the Motion to Dismiss, and asked to dismiss the case.

23 9. Given the claims in the Complaint and the arguments raised in the Motion to Dismiss,
24 Defendants explained they would only stipulate to dismiss with prejudice. Defendants’ Counsel
25 thoroughly explained the consequences of voluntarily dismissing the action with prejudice, including
26 that Bui could not bring the same claims in the future, and Bui acknowledged his understanding of the
27 procedural and substantive consequences of a dismiss with prejudice.
28

10. The Parties subsequently agreed it would be in the interest of justice and the conservation of party and judicial resources to dismiss the Complaint with prejudice.

THEREFORE the Parties hereby stipulate to DISMISS the above-captioned matter WITH PREJUDICE. The Parties further stipulate each party shall bear its own respective costs, expenses and attorneys' fees in connection with the above-captioned matter.

DATED this 8th day of November, 2021

IT IS SO STIPULATED.

DATED this 8th day of November, 2021.

DATED this 8th day of November, 2021.

GREENBERG TRAURIG, LLP

By: /s/ Michael R. Hogue

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By: 

Edward Bui

Appearing Pro Se

*Counsel for Specialized Loan Servicing
LLC and Deutsche Bank National Trust
Company*

DATED this 8th day of November, 2021.

By: 

Operture, Inc.

By: Edward Bui, authorized signatory

Appearing Pro Se

ORDER

Based upon the above and foregoing,

IT IS SO ORDERED.

DATED November 10, 2021.


UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of November, 2021, a true and correct copy of the foregoing **STIPULATION AND [PROPOSED] ORDER FOR VOLUNTARY DISMISSAL WITH PREJUDICE** was filed electronically via the Court's CM/ECF system. Notice of filing will be served on all parties by operation of the Court's CM/ECF system, and parties may access this filing through the Court's CM/ECF system.

/s/Andrea Flintz

An employee of Greenberg Traurig, LLP